

Board of Examiners of Landscape Architects



Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
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Functional and Organizational Analysis of the Board of Examiners of Landscape Architects

Sources of Information

- Representatives of the Board of Examiners of Landscape Architects
- Code of Alabama 1975 § 34-17-1 through § 34-17-27
- Code of Alabama 1975 § 41-20-1 through § 41-20-16 (Sunset Law)
- Code of Alabama 1975 § 41-22-1 through § 41-22-27 (Administrative Procedures Act)
- Alabama Administrative Code Chapters 500-X-1 through 500-X-2-.15
- Board of Examiners of Landscape Architects Audit Report (1996-1999)

Historical Context

The Board of Examiners of Landscape Architects was established in 1971. There was no state agency regulating this practice before 1971.

Agency Organization

The board consists of three members, appointed by the governor, with the advice and consent of the senate. Board members must be practicing landscape architects with at least two years' experience. The term of office for board members is three years. The board elects annually from its members a chairman and a secretary. Meetings are held at least twice a year. If a vacancy occurs, the governor will appoint a successor for the remainder of the term. The board hires an administrator to handle the day-to-day operations. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the board is to license landscape architects. The board also enforces rules and regulations in order to protect the public. It is one of the agencies responsible for performing the Regulatory function of Alabama government.

In the performance of its mandated function, the agency may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** In accordance with the Administrative Procedures Act (Code of Alabama 1975 § 41-22-3), the board has the authority to prescribe rules and regulations for certification in, and the practice of landscape architecture. The board also develops the appropriate procedures or techniques for the promulgation of rules, regulations, and procedures.
- **Licensing.** The board is authorized to license landscape architects. The board is only entitled to license individuals, not corporations or partnerships. However, the board does register corporations and partnerships. The applicant must submit a formal application to

the board along with required supporting documents, such as diplomas, photographs, and registrar statements. All applicants must successfully pass an examination. In order to take the examination, the applicant must submit evidence of practical experience in landscape architecture. A total of six years of combined education and experience or eight years of practical experience must be completed before an applicant may apply for the examination. The examination tests the knowledge, skills, and abilities required for the practice of landscape architecture as well as state laws. The examination is purchased from the Council of Landscape Architectural Registration Boards. The board may elect to administer an oral examination. Once an applicant has been approved, she/he receives notification from the board regarding his/her eligibility. Upon payment of all fees, the board will issue a license certificate.

Corporations may request a certificate of authorization. In order to receive the certificate of authorization, they must register and have a licensed landscape architect on staff. The certificate indicates the registration number of the landscape architect.

Renewals of licenses are required annually with a licensing fee paid between November and December. At least fifteen Professional Development Hours of continuing education must be completed in order to renew a license.

- **Monitoring Continuing Education.** The board appoints five members to form the continuing education committee. This committee's duties are to review and pre-approve all sponsors of continuing education programs in landscape architecture. The committee meets only when it is deemed necessary. The committee also establishes methods for documentation. The requirements for these courses are listed in the Alabama Administrative Code Section 500-X-2. Also listed in the Alabama Administrative Code Section 500-X-2 is what the board requires to document participation in continuing education activities.
- **Enforcing.** The board hears charges against any licensed landscape architects for any violation. The board may deny, revoke or suspend a license. The licensee may seek a judicial review through the Circuit Court of Montgomery County if he/she is dissatisfied with the board's decision.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative and financial activities performed to support its programmatic areas of the board.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the

budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accountings for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Board of Examiners of Landscape Architects

Agency Record Keeping System

The Board of Examiners of Landscape Architects currently operates a hybrid record keeping system composed of paper and electronic records.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Board of Examiners of Landscape Architects: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met.

- **Examination Files.** Before applicants can qualify for a license, they must successfully pass an examination. Examination questions are designed to test the applicant's competence to plan, design, specify, and supervise the installation of landscape projects. The examination is currently compiled by a national organization. These records are retained for five years after the license becomes inactive.
- **Renewal Files.** These are records created when a licensee renews his/her license. The licensee may renew before the license expires. The board uses these files to keep track of renewals, but also to see if the licensee is upholding the rules and regulations of the board. If a licensee has committed a violation or a felony, it is noted in the renewal file and can be used to deny/revoke the renewal depending on the violation. The recommended retention is five years after a license becomes inactive.
- **Investigation Files.** These are records created when an investigation has been launched against a particular individual. These files include complaint, investigation, and hearing files. The board recommends a retention of five years after the license becomes inactive.
- **Continuing Education Evidence Files.** In order for an associate or a regular licensee to continue as a licensee, he/she must provide sufficient evidence to document completion of the required number of education hours. This documentation is retained for five years after the license becomes inactive.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Annual Reports.** The annual report is submitted to the governor and documents the condition and activities of the agency. **(Bibliographic Title:)**
- **Meeting Minutes and Orders of the Board.** These records document decisions of the board including final decisions on licensure of applicants. These records provide important information and documentation of the board's actions that may not be found elsewhere. **(Bibliographic Title: Meeting Minutes)**
- **Published Rules and Regulations.** The board publishes this booklet for public distribution. Included are excerpts from the Code of Alabama and the board's administrative code. This publication should be retained because it documents all professional rules and procedures governing the practice of landscape architecture in Alabama. **(Bibliographic Title: Rules and Regulation)**

Licensing

- **Rosters of Licensees.** The board maintains a roster of licensees on its website at <http://www.abela.state.al.us>. This roster contains a list of licensees, their addresses, license numbers, and the license issue and expiration dates. Information also included is a listing of registered companies and partnerships. The roster provides key documentation of landscape architects; thus, a copy should be printed out annually for permanent retention. **(Bibliographic Title: Roster of Licensees)**

Monitoring Continuing Education

- **Meeting Minutes of the Continuing Education Committee.** These records document decisions of the committee including final decisions on continuing education. These records provide important information and documentation of the committee's actions that may not be found elsewhere. **(Bibliographic Title: Meeting Minutes)**

Enforcing

The board currently creates no permanent records under this subfunction.

Administering Internal Operations

- **Website.** The board has a website at www.abela.state.al.us. Information on the web includes a list of board members, continuing education committee members, rules and regulations, and application forms. The website also provides a list of landscape architects licensees. The disposition statement calls for retaining a "snapshot" of all

website information annually, or as often as significant changes are made to the site.
(Bibliographic Title:)

Permanent Records List

Board of Examiners of Landscape Architects

Promulgating Rules and Regulations

1. Annual Reports
2. Meeting Minutes and Orders of the Board
3. Published Rules and Regulations

Licensing

1. Roster of Licensees

Monitoring Continuing Education

1. Meeting Minutes of the Continuing Education Committee

Administering Internal Operations

1. Website

Board of Examiners of Landscape Architects Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Board of Examiners of Landscape Architects. The RDA lists records created and maintained by the Board of Examiners of Landscape Architects in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Board of Examiners of Landscape Architects to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Board of Examiners of Landscape Architects' records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back

messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Board of Examiners of Landscape Architects and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

ANNUAL REPORTS

Disposition: PERMANENT RECORD.

MEETING MINUTES AND ORDERS OF THE BOARD

Disposition: PERMANENT RECORD.

PUBLISHED RULES AND REGULATIONS

Disposition: PERMANENT RECORD.

REGISTER OF ADMINISTRATIVE RULES

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 41-22-6).

Licensing

ROSTER OF LICENSEES

Disposition: PERMANENT RECORD.

Examination Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the records were created.

Licensure Files

Disposition: Temporary Record. Retain 5 years after the license becomes inactive.

Renewal Files

Disposition: Temporary Record. Retain 5 years after the license become inactive.

Corporation Registration Files

Disposition: Temporary Record. Retain 5 years after the corporation has dissolved.

Monitoring Continuing Education

MEETING MINUTES OF THE CONTINUING EDUCATION COMMITTEE

Disposition: PERMANENT RECORD.

Continuing Education Evidence Files

Disposition: Temporary Record. Retain 5 years after license becomes inactive.

Enforcing

Investigation Files

Disposition: Temporary Record. Retain for 5 years after license becomes inactive.

Administering Internal Operations: Managing the Agency

WEBSITE

Disposition: PERMANENT RECORD. Retain a “snapshot” of complete website information annually or as often as significant changes are made to the site.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the implementation of the agency’s approved RDA (copies of transmittal forms to Archives or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

System documentation (hardware/software manuals and diskettes, warranties, Y2K Records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury, including bank statements, deposit slips, and cancelled checks

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Properties, Facilities, and Resources

SEMIANNUAL INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the lease or rental of office or warehouse space for the department

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Approval of Records Disposition Authority (RDA)

By signing this agreement, the Board of Examiners of Landscape Architects acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Board of Examiners of Landscape Architects will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in July of each year, and ensuring the regular implementation of the agency's approved RDA.
- Permanent records in the Board of Examiners of Landscape Architects' custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The board should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the board chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Board of Examiners of Landscape Architects agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the agency and to inspect records destruction documentation. Government Records Division archivists are available to train the agency's staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on July 24, 2002.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Joanna Brock, Administrator
Board of Examiners of Landscape Architects

Date